

Practitioner's Docket No. 2793/112

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PCT/CA2004/0006	22 April 2004 (22.04.04)	22 April 2003 (22.04.03)
International Application No.	International Filing Date	Priority Date Claimed

Use of Lipo-Chitooligosaccharides to Initiate Early Flowering and Fruit Development in Plants and Related Methods and Compositions

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Title of Invention

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Bios Agriculture Inc.; Chen, Chunquan; Cholewa, Ewa Maria; McIver, John David; Schultz, Birgit Carolyn; and Yang, Yang

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Applicant(s) for DO/US

Mail Stop PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 ATTENTION: DO/US

**COMPLETION OF FILING REQUIREMENTS  
 FOR INTERNATIONAL APPLICATION ENTERING NATIONAL  
 STAGE IN U.S. DESIGNATED OFFICE (DO/US) UNDER 35 U.S.C. § 371**

This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.494 (FORM PCT/DO/EO/905).

A copy of FORM PCT/DO/EO/905 accompanies this response; along with an updated Application Data Sheet.

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**EXPRESS MAILING UNDER 37 C.F.R. § 1.10\***

*(Express Mail label number is mandatory.)*  
*(Express Mail certification is optional.)*

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date June 30, 2006 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EV771909235US.




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Type or print name of person mailing paper

Date: June 30, 2006

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Robert A. Hess

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*Signature of person certifying*

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**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

## DECLARATION OR OATH

I. No original declaration or oath was filed. Enclosed is the original declaration or oath for this application.

## FEES

II.

1. Examination, Search and Additional Page Fee

2. Fees for claims

Each independent claim in excess of 3	\$ 0.00
Each claim in excess of 20	\$ 0.00
Multiple dependent claim(s)	\$ 0.00

3. Surcharge fees

Surcharge for filing the oath or declaration later than thirty months from the priority date pursuant to § 1.495(c) and § 1.492(h):	\$ 130.00
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Total fees \$ 130.00

## EXTENSION OF TIME

III. The proceedings herein are for a patent application. The provisions of 37 C.F.R. section 1.1 36(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

## TOTAL FEE DUE

IV. The total fee due is:

Completion fee(s)	\$ 130.00
Extension fee (if any)	\$0.00

TOTAL FEE DUE	\$130.00
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07/07/2006 GFREY1 00000123 10554028

01 FC:1617 130.00 0P

## PAYMENT OF FEES

V. Attached is a check in the amount of \$130.00.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

Date: June 30, 2006



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Robert A. Hess  
Registration No. 57,411  
BROMBERG & SUNSTEIN LLP  
125 Summer Street  
Boston, MA 02110-1618  
US  
617-443-9292  
Customer No. 002101

02793/00112 514815.1



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/554,028	Chunquan Chen	2793/112

RECEIVED

002101  
 BROMBERG & SUNSTEIN LLP  
 125 SUMMER STREET  
 BOSTON, MA 02110-1618

JUN 16 2006

BROMBERG &amp; SUNSTEIN

INTERNATIONAL APPLICATION NO.

PCT/CA04/00606

I.A. FILING DATE

04/22/2004

PRIORITY DATE

04/22/2003

CONFIRMATION NO. 7849  
 371 FORMALITIES LETTER



\*OC000000019182834\*

Date Mailed: 06/09/2006

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/20/2005
- Copy of the International Search Report filed on 10/20/2005
- Copy of IPE Report filed on 10/20/2005
- Preliminary Amendments filed on 10/20/2005
- Information Disclosure Statements filed on 10/20/2005
- Request for Immediate Examination filed on 10/20/2005
- U.S. Basic National Fees filed on 10/20/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

ANITA D JOHNSON

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Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/554,028	PCT/CA04/00606	2793/112

FORM PCT/DO/EO/905 (371 Formalities Notice)